

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-3, 5-6, 8, 10-14, and 21-32 are pending in the application, with claims 1, 5, 8, 10, 21, 28, and 30-31 being the independent claims. Claims 1, 3, 5-6, 8, 10-14, and 28-31 are sought to be amended. This amendment is believed to introduce no new matter, and its entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

***Objection to the Specification***

On page 2 of the Office Action, claim 10 is objected to as allegedly lacking antecedent basis within the specification as to the term "computer program product." For at least the following reasons, Applicants respectfully traverse the rejection. The objection is tantamount to requiring the specification to support claim language *ipsis verbis*, that is, in the same words as recited in the claims. This requirement stands in direct contrast to well-established controlling law. Simply put, there is no requirement that claims be drafted in the same language found in the specification. *Ex Parte Holt*, 19 U.S.P.Q. 2d 1211 (1991) (restating that "it is well established that the invention claimed need not be described *ipsis verbis* in order to satisfy the disclosure requirement of § 112"); MPEP § 2163(II)(A)(3)(a) (If a skilled artisan would have understood the inventor to be in possession of the claimed invention at the time of filing, even if every nuance of the claims is not explicitly described in the specification, then the adequate description requirement is met).

See, e.g., *Vas-Cath*, 935 F.2d at 1563, 19 USPQ2d at 1116; *Martin v. Johnson*, 454 F.2d 746,

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751, 172 U.S.P.Q. 391, 395 (CCPA 1972) (stating “the description need not be in *ipsis verbis* [i.e., “in the same words”] to be sufficient”) (Emphasis added). There is no serious question that computer readable storage media such as semiconductor disks, magnetic disks, and optical disks encoded with computer readable program code are examples of computer program products. As a result, Applicants respectfully submit the term “computer program product” has sufficient antecedent basis by the exemplary computer program products provided in the specification. Accordingly, Applicants respectfully request the Examiner withdraw the rejection of claim 10 as failing to provide proper antecedent basis set forth on page 2 of the office action.

***Rejections under 35 U.S.C. § 101***

On page 2 of the Office Action, Claims 10-14 and 30 are rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. For at least the following reasons, Applicants respectfully traverse the rejection. Claim 10-14 and 30 each recite “a tangible computer readable storage medium.” Paragraph [0054] of the specification, on the other hand, refers to a “computer usable medium.” Applicants respectfully submit that, as used in claims 10-14 and 30, the term “a tangible computer readable storage medium” includes any known computer useable medium including semiconductor disks, magnetic disks, and optical disks, but does not include “a computer data signal ... embodied in a computer useable transmission medium.” Accordingly, Applicants respectfully request the Examiner withdraw the rejection of claims 10 and 30, and dependent claims 11-14, under 35 U.S.C. § 101 set forth in page 2 and 3 of the Office Action.

***Rejections under 35 U.S.C. § 102***

**Claim 31**

On page 3 of the Office Action claim 31 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,740,392 to Brennan ("Brennan"). For at least the following reasons, Applicants respectfully request the Examiner reconsider and withdraw the rejection.

Amended claim 31 now recites, in part, "a selection circuit to select one of the mapped instructions for decoding, wherein the parallel mapper is disposed in the pipelined computer system *upstream* from the selection circuit, and wherein the parallel mapping, tag comparison, and selection are completed in a single pipeline stage; and a decoder for decoding the selected mapped instruction for execution by a processor."

Page 3 of the Office Action refers to " fig. 5 for details of the *decoder as parallel mappers*." However, as shown in fig. 5, the decoder is *downstream* from the selection circuit multiplexer, directly contrary to the referenced element of claims 31.

Accordingly, Applicants respectfully submit Brennan does not disclose each and every element of claim 31. Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claim 31 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,740,392 to Brennan ("Brennan").

**Claims 21-23 and 25-28**

On page 11 of the Office Action, claims 21-23 and 25-28 were rejected under 35 U.S.C. § 102(b) as being anticipated Brennan ("Brennan"). For at least the following

reasons, Applicants respectfully request the Examiner reconsider and withdraw the rejection.

Claim 21 recites, in part, "selecting, based on the comparison in (b), one of the PIWF configurations of (a) to be decoded" and "decoding the PIWF configuration selected in (c) for execution by a processor core." As in the discussion of claim 31 above, applicants respectfully submit the determined instruction length is not subsequently decoded for "execution by a processor core" as recited in claim 21.

Claim 28 recites, in part, "a decoder for decoding the desired one of said PIWF configurations for execution by the processor." For at least the reasons provided above, Applicants respectfully submit the Brennan does not disclose this feature as recited in claim 28.

Therefore, Applicants respectfully submit Brennan does not disclose each and every element of claim 21 and 28. Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claims 21 and 28, and the claim 21's dependent claims 22-23 and 25-27.

### ***Rejections under 35 U.S.C. § 103***

On page 4 of the Office Action, claims 1-3, 5, 6, 8, 10-14, and 30-31 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Brennan in view of U.S. Patent No. 6,442,674 to Lee (Lee). For at least the following reasons, Applicants respectfully request the Examiner reconsider and withdraw the rejection. Applicants also assume that the Examiner meant to reject claim 32 in this section rather than claim 31 as listed in the Office Action on page 4, as claim 31 has already been addressed in the

Office Action on page 3 and the Examiner discusses claim 32 on page 7 of the Office Action.

Claims 1 and 30 recite, in part, "each mapper for mapping an instruction of said instruction set to a predetermined instruction width format (PIWF) configuration," and "a decoder for decoding the desired one of said PIWF configurations for execution by the processor."

As explained above, Brennan does not disclose "mapping an instruction of said instruction set to a predetermined instruction width format (PIWF) configuration," and "decoding the desired one of said PIWF configurations for execution by the processor."

Applicants respectfully submit that the disclosure of Lee is not sufficient to overcome the deficiencies of Brennan in this respect with respect to claim 1. Consequently, Applicants respectfully assert the combination of Brennan in view of Lee does not render claim 1 invalid as obvious over the proposed combination. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 1, and its dependent claims 2-3, under 35 U.S.C. § 103(a) as being unpatentable over Brennan in view of Lee set forth in on page 4 of the Office Action.

Claim 5 recites, in part, "mapping each instruction of said instruction set to a corresponding PIWF configuration," and "decoding the desired one of said PIWF configurations for execution by the processor." Applicants respectfully assert that, as explained above, Brennan does not teach or suggest this feature of the invention recited in claim 5.

Applicants respectfully submit that the disclosure of Lee is not sufficient to overcome the deficiencies of Brennan in this respect with respect to claim 5.

Consequently, Applicants respectfully assert the combination of Brennan in view of Lee does not render claim 5 invalid as obvious over the proposed combination. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 5, and its dependent claim 6, under 35 U.S.C. § 103(a) as being unpatentable over Brennan in view of Lee set forth in paragraph 4 of the Office Action.

Claim 8 recites, in part, "a plurality of mappers for mapping a plurality of instructions of an instruction set to predetermined instruction width format (PIWF) configurations," and "whereby said decoder decodes the desired one of said PIWF configurations for execution by the processor." Applicants respectfully assert that, as explained above, Brennan does not teach or suggest this feature of the invention recited in claim 8.

Applicants respectfully submit that the disclosure of Lee is not sufficient to overcome the deficiencies of Brennan in this respect with respect to claim 8. Consequently, Applicants respectfully assert the combination of Brennan in view of Lee does not render claim 5 invalid as obvious over the proposed combination. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Brennan in view of Lee set forth in paragraph 4 of the Office Action.

Claim 10 recites "a plurality of mappers for receiving instructions of an instruction set, each mapper for mapping an instruction of said instruction set to a predetermined instruction width format (PIWF)," and a "third computer readable program code for decoding the desired one of said PIWF configurations for execution by

the processor." Applicants respectfully assert that, as explained above, Brennan does not teach or suggest this feature of the invention recited in claim 10.

Applicants respectfully submit that the disclosure of Lee is not sufficient to overcome the deficiencies of Brennan in this respect with respect to claim 10.

Consequently, Applicants respectfully assert the combination of Brennan in view of Lee does not render claim 10 invalid as obvious over the proposed combination.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 10, and its dependent claims 11-14, under 35 U.S.C. § 103(a) as being unpatentable over Brennan in view of Lee set forth in paragraph 4 of the Office Action.

On page 7 of the Office Action, claim 32 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Brennan in view of Lee. For at least the following reasons, Applicants respectfully request the Examiner reconsider and withdraw the rejection.

On page 7 of the Office Action, the Examiner states that Lee teaches "a fill buffer." However, Lee is not used by the Examiner to teach or suggest, nor does Lee teach or suggest, at least the above noted distinguishing features of independent claim 31. Therefore, Lee does not cure the deficiencies of Brennan, and the references cannot be used in combination therewith to establish a *prima facie* case of obviousness. Dependent claim 32 depends from claim 31, and therefore is also distinguishable over the applied references for at least the reasons stated above, as well as for its additional distinguishing features. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection as per claim 32.

On page 13 of the Office Action, claims 24 and 29 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Brennan in view of Lee. For at least the following reasons, Applicants respectfully request the Examiner reconsider and withdraw the rejection.

Claim 24 depends ultimately from independent claim 21, and claim 29 depends ultimately from independent claim 28. As explained above, claims 21 and 28 are believed patentable over the proposed combination. Consequently, Applicants respectfully submit that claim 24, which depends from claim 21 and claim 29, which depends from claims 28 are patentable over the proposed combination as well. Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claims 24 and 29 under 35 U.S.C. § 103(a) as being unpatentable over Brennan in view of Lee set forth in paragraph 14 of the Office Action.

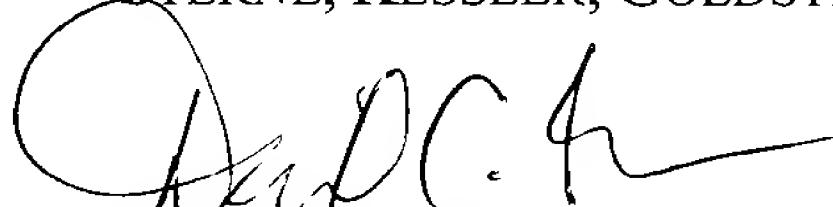
***Conclusion***

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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